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## FACSIMILE COVER SHEET

Deliver to: Minh D. A., USPTO	Art Group:2821
Facsimile No.: 703-872-9306	Date: July 6, 2005
From: Mark C. Van Ness, Reg. No.	39,865
Our Docket No.: 42P16079	Number of pages11including this sheet.
Application No.: 10/607,724	Filing Date: 6/27/2003
Enclosed are the following documents:	Docket Due Date(s): 7/6/2005
	☐ Issue Fee Transmittal
Appeal Brief (pgs)	☐ Notice of Appeal
Application:	Petition for:
( pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)
☐ Assignment & Cover Sheet (pgs)	Reply Brief (pgs)
☑ Certificate of Facsimile	☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)
☐ Continued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request
☐ Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter
☐ Drawlngs:sheets, figures	Response to Written Opinion (pgs)
Extension of Time:	☐ Terminal Disclaimer
▼ Fee Transmittal (in duplicate)	☐ Transmittal of Publication Fee Due
☐ IDS & PTO/SB/08 ( pgs)	▼ Transmittal Letter
Other Other	
	ING/TRANSMISSION (37 CFR 1.8A)  nitted by facsimile on the date shown below to the United States
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Gayle Bekish	Date

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TRANSMITTAL FORM		Application No.	10/60	7,724	
TRANSMITTAL FORM		Filing Date	June 2	27, 2003	
(to be used for all correspondence after initial filing)		First Named Inventor	Grego	ry A. Peck	
			Art Unit	2821	
			Examiner Name	Minh	D. A.
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Firm Mark C. Van Ness, Reg. No. 39,865			·		
Individual name BLAKELY, SOKOLOFF,			TAYLOR & ZAF	MAN L	LP
Signature			n////	/	
Date July 6, 2005					
CERTIFICATE OF MAILING/TRANSMISSION					
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.					
Typed or printed na	ame Gayle Bekis	h <sub>a</sub> -			
Signature Canh				Date	July 6, 2005

FEE TRANSMITTAL			Complete if Known				
FEE TRANSMITTAL		Application Number	10/607,724				
		r FY 2005			Filling Date June 27, 2003		
					First Named Inventor	Gregory A. Peck	
Applican	nt claims sn	nall entity st	atus. Se	e 37 CFR 1.27.	Examiner Name Art Unit	Minh D. A. 2821	
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□ Check □ Credit card □ Money Order ☒ None □ Other (please identify):							
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SUBMITTED B	Υ			Comp	lete (if applicable)
Name (PrintType)	Mark C. Van Ness	Registration No. (Attorney/Agent)	39,865	Telephone	(503) 439-8778
Signature	MINA	u Ma		Date	07/06/05

Based on PTO/S9/17 (12-04) as modified by Blakely, Book 51, Teylor & Zalman (Wf) 12/16/2004.
SEND TO: Commissionar for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL			ΓΤΔΙ	Complete if Known			
		Application Number	10/607,724				
	for FY 2005		Filing Date	June 27, 2003			
Patent fees are subject to annual revision.					First Named Inventor	Gregory A. Peck	
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1254	1,590	2254	795	Extension for re	xtension for reply within fourth month		
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SUBMITTED B	Υ			Comp	lete (if applicable)
Name (Print/Type)	Mark C. Van Ness	Registration No. (Attorney/Agent)	39,865	Telephone	(503) 439-8778
Signature	MIII	, 1/1	7	Date	07/06/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Solokely Joylor & Zatman (wf.) 12/15/2004, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

# BSTZ - LAKE OSWEGO RECEIVED CENTRAL FAX CENTER

JUL 0 6 2003

Attorney Docket No.: 42390.P16079

**Patent** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application	of: Gregory A. Peck	)
Serial No.	10/607,724	) Group Art: 2821
Filed:	06/27/03	) Examiner: Minh D. A.
Title:	Apparatus and Method to rovide Antenna Diversity	) ) )

Commissioner for Patents P.O Box 1450 Alexandria, VA 22313-1450

## **RESPONSE TO NON-FINAL ACTION**

Dear Sir,

In response to the Final Office Action dated April 6, 2005, Applicant respectfully requests entry of the following amendment, and reconsideration and withdrawal of the rejections.

No Amendments were made to the Specification

Amendments to the Claims begin on Page \_\_2\_

No Amendments were made to the Drawings

Attorney Docket No: 42390P16079

Serial No: 10/607,724

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## Amendments to the Claims

- 1. (currently amended) An apparatus, comprising:
- a primary antenna having a gain; and
- a secondary antenna having a gain greater than the gain of the primary antenna, wherein the gain of the secondary antenna is at least about 6 dBi;

wherein the primary antenna is a transmit and receive antenna and the secondary antenna is a receive only antenna.

- 2. (canceled)
- 3. (original) The apparatus of claim 1, wherein the gain of the secondary antenna is at lest about 12 dBi.
- 4. (original) The apparatus of claim 1, wherein the gain of the primary antenna is less than about 6 dBi.
- 5. (original) The apparatus of claim 1, wherein the gain of the primary antenna is less than about 3 dBi.

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- 6. (original) The apparatus of claim 1, wherein the primary antenna is a dipole antenna and the secondary antenna is a dipole antenna.
- 7. (original) The apparatus of claim 1, wherein the secondary antenna is a stacked dipole antenna.
- 8. (original) The apparatus of claim 1, wherein the primary antenna is a dipole antenna, a microstrip patch antenna, or an inverted-F antenna.
- 9. (cancelled)
- 10. (original) The apparatus of claim 1, further comprising a power amplifier (PA) having an output terminal coupled to the primary antenna via a switch.
- 11. (original) The apparatus of claim 10, wherein the power amplifier has an output power of at least about 17 dBm.
- 12. (original) The apparatus of claim 1, further comprising a low noise amplifier (LNA) having an input terminal selectively coupled to either the primary antenna or the secondary antenna.

- 13. (previously amended) An apparatus, comprising:
- a first antenna to transmit and receive signals; and
- a second antenna to only receive signals and having a gain greater than a gain of the first antenna, wherein the second antenna is separate from the first antenna.
- 14. (previously amended) The apparatus of claim 13, wherein the gain of the second antenna is at least about 6 dBi.
- 15. (original) The apparatus of claim 13, wherein the gain of the first antenna is less than about 6 dBi.
- 16. (currently amended) A system, comprising:
- a wireless local area network (WLAN) device comprising:
- a primary antenna having a gain; and
- a secondary antenna having a gain greater than the gain of the primary antenna,

wherein the secondary antenna has a gain of at least about 6 dBi;

wherein the primary antenna is a transmit and receive antenna and the secondary antenna is a receive only antenna.

- 17. (original) The system of claim 16, wherein the WLAN device is an access point (AP).
- 18. (previously amended) The system of claim 16, wherein the primary antenna has a gain of less than about 6 dBi.
- 19. (previously amended) A method, comprising:

receiving a first signal from a transmit and receive antenna; and receiving a second signal from a receive only antenna, wherein the receive only antenna has a gain greater than a gain of the transmit and receive antenna and wherein the receive only antenna is separate from the transmit and receive antenna.

- 20. (original) The method of claim 19, comparing the signal strength of the first signal to the signal strength of the second signal.
- 21. (previously amended) The method of claim 19, further comprising coupling an input terminal of a low noise amplifier (LNA) to the receive only antenna if the signal strength of the second signal is greater than the signal strength of the first signal.

- 22. (previously amended) The method of claim 21, further comprising transferring a transmission signal for transmission over the air from an output terminal of a power amplifier (PA) to the transmit and receive antenna.
- 23. (previously amended) A method, comprising:

selectively switching between either a primary antenna or a diversity antenna to receive signals, wherein a gain of the primary antenna is less than a gain of the diversity antenna and the diversity antenna is discrete from the primary antenna.

- 24. (previously amended) The method of claim 23, further comprising: transmitting a signal using the primary antenna; receiving a signal using the primary antenna; and receiving a signal using the diversity antenna.
- 25. (original) The method of claim 23, further comprising coupling an input terminal of a low noise amplifier (LNA) to the diversity antenna after comparing signal strengths of signals received by the primary and diversity antennas.

#### Remarks

Claims 1, 3-25 are pending in the current application. Claims 1 and 16 have been amended. Claim 9 has been cancelled.

#### Allowable Subject Matter

Claims 9-12 are indicated as containing allowable subject matter and would be allowable if rewritten in independent form. Claims 13-15 and 19-25 are indicated as allowed. Applicant thanks the Examiner for the indication of allowable subject matter.

## 35 U.S.C. 102 Rejections

Claims 1, 3-4 and 16 stand rejected under 35 U.S.C. 102(b) as being anticipated by Carloni et al (U.S. Pat. No. 5,815,115).

Allowable subject matter from claim 9 has been incorporated into claim 1. Thus, claim 1 is allowable. Claims 3-8, 10-12 depend from allowable claim 1 and are allowable for at least this reason.

Allowable subject matter from claim 9 has been incorporated into claim 16. Thus, claim 16 is allowable. Claims 17-18 depend from allowable claim 16 and are allowable for at least this reason.

#### 35 U.S.C. 103 Rejections

Claims 4-8 and 17-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Carloni et al. Claims 4-8 depend from allowable claim 1 and are allowable for at least this reason. Claims 17-18 depend from allowable claim 16 and are allowable for at least this reason.

#### Conclusion

For the foregoing reasons, it is submitted that the application is in condition for allowance, and indication of allowance by the Examiner is respectfully requested. If the Examiner has any questions concerning this application, he or she is requested to telephone the undersigned at the telephone number shown below as soon as possible. If any fee insufficiency or overpayment is found, please charge any insufficiency or credit any overpayment to Deposit Account No. 02-2666.

	Respectfully submitted,
,	Intel Corporation
Date:July 6, 2005	/Rita M. Wisor/
	Rita M. Wisor Reg. No. 41,382
Attorney Phone Number:	(512) 732-3923
Correspondence Address:	Blakely Sokoloff Taylor & Zafman, LLP 12400 Wilshire Blvd Seventh Floor Los Angeles, California 90025-1026